

JUDGE HOLWELL

NOURSE & BOWLES, LLP
 Attorneys for Plaintiff
 EMERALDIAN LIMITED PARTNERSHIP
 One Exchange Plaza
 At 55 Broadway
 New York, NY 10006-3030
 (212) 952-6200

08 CV 2991

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 EMERALDIAN LIMITED PARTNERSHIP,

 Plaintiff,

 - against -

 WELLMIX SHIPPING LIMITED,

 Defendant.
 -----X

08 Civ. ()

**AFFIDAVIT IN SUPPORT OF
 APPLICATION FOR
 MARITIME ATTACHMENT**

STATE OF NEW YORK)
) ss:
 COUNTY OF NEW YORK)

Armand M. Paré, Jr., being duly sworn, deposes and says:

1. I am a member of the firm of Nourse & Bowles, LLP attorneys for Plaintiff, Emeraldian Limited Partnership and make this affidavit in support of Plaintiffs' application for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. Based upon my inquiries and to the best of my information and belief, Defendant, Wellmix Shipping Ltd., is a foreign corporation and cannot be "found" within this District for the purpose of attachment under Rule B. In support of this position, I and my staff have conducted the following investigation:

(a) I have directed my staff to contact the office of the New York Department of State, Division of Corporations via the official Department of State website at <http://www.dos.state.ny.us> and conduct a search for corporation named Wellmix Shipping Ltd. and the search results indicated that Wellmix Shipping Ltd. is not a New York corporation, nor is it licensed, authorized or registered to do business in the State of New York as either a domestic or international corporation;

(b) I have directed my staff to consult with Directory Assistance for New York for area codes (212), (718), (917), (646), (347), (914), (845), and has been advised that no listing for Wellmix Shipping Ltd. was located;

(c) I and my staff reviewed the Journal of Commerce (Business Directory) Transportation Tickler, 2007 Edition (Vol. 1 New York Metropolitan Area) and no listing was found for Wellmix Shipping Ltd.;

(d) My staff accessed through Microsoft Internet Explorer and Yahoo! Search engines the yellow pages telephone directory database and found no listing in that database for any office or agent of Wellmix Shipping Ltd. in the State of New York;

(e) My staff accessed through Microsoft Internet Explorer and Google search engines and found no listing for any office or agent of Wellmix Shipping Ltd. in the State of New York;

(f) I and my staff are unaware of any general or managing agent(s) within this District for Wellmix Shipping Ltd.

3. Based upon the foregoing, I submit that Defendant, Wellmix Shipping Ltd. cannot be "found" within this District for the purpose of an attachment pursuant to Rule B and therefore Plaintiff seeks an order of attachment against the tangible and intangible property of Wellmix

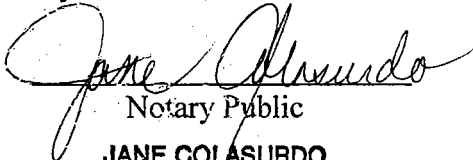
Shipping Ltd. as may be found within this District up to and including the amount of the claim specified in the Verified Complaint.

4. No previous application for an Order of Attachment and Garnishment or similar relief has been sought in the United States in this matter.



Armand M. Paré, Jr.

Sworn and subscribed
to before me this 24th
day of March, 2008



Notary Public

JANE COLASURDO
Notary Public, State Of New York
No. 31-4786002
Qualified In New York County
Commission Expires April 30, 2011